UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/853,976	05/10/2001	Anna M. Zara	10007988	8110

7590	12/29/2005

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Intellectual Property Administration
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EXAMINER
ZEENDER, FLORIAN M

ART UNIT	PAPER NUMBER
3627	

DATE MAILED: 12/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/853,976	ZARA ET AL.
	Examiner	Art Unit	
	F. Ryan Zeender	3627	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>05 October 2005</u>.

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>59,60,63-66,68-70,72-76 and 78-85</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) <u>84 and 85</u> is/are allowed.

6)☒ Claim(s) <u>59,60,63-66,68-70,72-76 and 78-83</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

Claims 59-60, 63-66, 68-70, 72-76, and 78-83 are rejected under 35

U.S.C. 103(a) as being unpatentable over Jones et al. (US 2004/0254863).

Jones et al. disclose, inherently teach, or make obvious an automated (0010)

computer implemented method for ordering and tracking components (see for example

paragraphs 0003, 0005, 0010, 0011, 0029) required to assemble an asset for use in a

particular data center (see for example, "enterprise" in paragraph 0029) comprising a

plurality of assets, the method comprising: creating an asset record (for example 0034)

where the asset is comprised of a plurality of components (0003), wherein creating the

asset record comprises generating an asset identifier for the asset (i.e., "barcode", see

for example 0036, 0047) that is unique, creating a purchase order for the components of

the asset (0010, 0045, 0052, 0054, 0055), storing purchase order information and

associated asset record in a management database (0029, 0034, 0045, 0054), updating

the asset record when changes occur (0057), determining whether all components

required for assembling the asset have been received (for example 0010), transmitting

purchase orders to a vendor (0067), use of templates (0044), the asset record having

physical descriptions (0054), the asset having an unique ID (0047, 0056).

Jones et al. lack the teaching of the step of updating the asset record being

automatic without human intervention.

It would have been an obvious design choice to one of ordinary skill in the art at

the time of the invention to modify Jones et al. to automate (without human intervention)

the updating step, as it is well known in business that automating a process and eliminating human intervention is often cost effective and may increase reliability.

Re claim 65, Jones et al. lack the teaching of container including the component having a code with information on the purchase order of the component. It is well known in the shipping industry to place a label with a code on the container of a purchased product whereby the code contains information (for example ID number) on the purchase order of the product. Therefore, it would have been an obvious design choice at the time of the invention to have a code containing purchase order information on the container in order to acquire information without opening the container.

Re claims 66 and 76, it would have been obvious to one of ordinary skill in the art at the time of the invention to receive specific details regarding the purchase order information in order to keep accurate records and to ensure that the components are correct for the asset.

Re claims 69 and 78-79: Jones et al. teach in paragraph 0029 that the client-server system is for maintaining assets within an organization or enterprise. It is well known in the art that organizations/enterprises have networks for all their computers. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have "deployed" computer assets within an organization be on the same network as the server that maintains the assets.

Re claim 70: Jones et al teach generating the asset identifier in printed form and affixing it to the assembled asset (See for example paragraph 0057).

Re claim 83: Updating assets (for example automatically updating software)

through a network is well known in the art of computers and software.

Allowable Subject Matter

Claims 84-85 are objected to as being dependent upon a rejected base claim,

but would be allowable if rewritten in independent form including all of the limitations of

the base claim and any intervening claims.

Response to Arguments

Applicant's arguments with respect to all pending claims have been considered

but are only persuasive for new claims 84-85.

The applicant argues that Jones does not teach an asset identifier that is unique

within a particular data center in which the asset is used and distinguishes the asset

from a plurality of assets. However, Jones teaches the use of a barcode which is well

known in the art to be unique and to distinguish one product/asset from other

products/assets.

The applicant further states that generating such an asset identifier requires

knowledge of the particular data center in which an asset is ultimately used and also

knowledge of the other assets in the particular data center. Jones' barcode system ·

allows tracking of assets within an organization and therefore provides knowledge of the

locations of assets.

The applicant further argues that nowhere in Jones is it taught that a unique

asset identifier is generated for an asset prior to the components of the asset even

being received. However, Jones does teach editing active asset records via barcode

scan (0047) and updating records (0057), as well as the identification of assets allowing

control of component lots (0052). Since the asset record in Jones has the capability of

being edited and updated, in would have been obvious to one of ordinary skill in the art

at the time of the invention to create the asset record first before components are

received, in order to provide a complete time log of activity (See 0034 for historical time

log taught by Jones).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to F. Ryan Zeender whose telephone number is 571) 272-

6790. The examiner can normally be reached on Monday-Friday, 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Alex Kalinowski can be reached on (571) 272-6771.

The fax phone number for the organization where this application or proceeding

is assigned is (571) 273-8300.

F. Zeender
Primary Examiner, A.U. 3627
December 22, 2005

F. RYAN ZEENDER
PRIMARY EXAMINER